



THE CITY OF NEW YORK  
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**BY ECF**

Honorable Brian M. Cogan  
United States District Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Claude Massiah and Natalie Mieles, individually and on behalf all others similarly situated v. MetroPlus Health Plan, Inc. and New York City Health and Hospitals Corporation  
Docket No. 11 Civ. 5669 (BMC)

Dear Judge Cogan:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendants New York City Health and Hospitals Corporation ("HHC") and MetroPlus Health Plan, Inc. ("MetroPlus") (collectively, "defendants") in the above-referenced action. Defendants write to advise that after careful consideration, defendants will not at this time be making a motion for reconsideration of this Court's April 9, 2012 decision, nor will defendants be moving pursuant to FRCP 54(b) for entry of partial final judgment or in the alternative, pursuant to 28 U.S.C. §1292(b) to certify the April 9, 2012 order for appeal to the U.S. Court of Appeals for the Second Circuit.

Respectfully submitted,

Ashley Hale  
Assistant Corporation Counsel

cc: Justin M. Swartz, Molly Brooks, Melissa Pierre-Louis (by ECF)  
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